

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

527I0099

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 57** - 02/25/2003

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Sutton (Dan), Abdallah, Duxbury, Earley, Ham, Jaspers, Kooistra, and Nachtigal and Representatives Nesselhuf, Adelstein, Christensen, Fryslie, Garnos, Gassman, Hargens, Hennies, Lange, Murschel, Pederson (Gordon), Rave, Schafer, Sebert, Van Gerpen, and Williamson

1 FOR AN ACT ENTITLED, An Act to provide for the temporary replacement of certain elected
2 officials called for active duty in the armed forces and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 3-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If any member of a governing body of a county, municipality, school district, township, or
7 special purpose district, who is also a member of the South Dakota National Guard or another
8 reserve component of the armed forces of the United States, is called into active duty which
9 causes the member to be unable to attend meetings of the governing body, the member may elect
10 to temporarily resign from the governing body. Notice of temporary resignation may be given
11 in the same manner as giving notice of resignation from such governing body. A temporary
12 replacement may be made in accordance with the provisions of statute applying to the governing
13 body. The temporary member shall serve until the member returns from active duty or until the



1 expiration of the member's term, whichever occurs first.

2 Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,
3 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
4 effect from and after its passage and approval.